REMARKS/ARGUMENTS:

The Office Action dated December 20, 2007 withdrew prior rejections in view of amendments and argument made in the RCE, and rejected claims 2-3, 5-9, 20, 23, 33-34, 36-40, 46, and 51-59 under 35 USC 103(a) as obvious over Steele (US 2002/0091700).

The claims are amended as follows:

'means' elements of claim 33 and its dependent claims 34, 36-38, 52 and 54 are replaced with non-means terms (support at Fig. 1, page 4 lines 6-11 and claim 55 for input 12, display 22 and processor 18);

claim 39 is changed to recite 'at least one of' the recited list;

claim 60 is added to recite similar to claim 33 (prior to this amendment) and using only 'means' elements; and

dependency of claim 55 is changed and further 'means' elements of claim 60 are specified.

No new matter is added, and none of these amendments are done for reasons related to patentability but instead to strictly divide 'means' type claims from non 'means' type claims for potential enforcement purposes after issue.

Claims 20, 33, 46 and 60 are independent. Method claim 20 is taken as representative in the below detailed remarks.

Steele is directed to a database architecture and applications providing a user interface for creating and storing text and graphic/image content using a standard PC in which data is converted/compressed/manipulated, and thereafter loaded onto a handheld computing device for viewing (abstract). A problem is described at [0009] in which traditional relational databases consume substantial system resources which are extremely limited on handheld computers. The Steele solution is described at [0014] as having no need to update records on the handheld computer. This is because at [0015]-[0016] the database architecture supports *creating* software applications on a host computer/PC and hot-synching or IR beaming the created applications/content to the PDA/handheld computer where it is *viewed and read*. See also [0064]. This PC/PDA divide runs through the entire Steele disclosure; see paras [0019]-

[0027] for the proposition that at least Figs 2-8B relate to the PDA at which content is read and displayed and at least Figs 9A-20 relate to the PC where content is created and edited.

Steele describes text/images/leaf nodes/pages and PDA/smartphone, which are asserted against the respective data assemblages and hand portable device recited at element a) of claim 20. Steele details at [0065] storing information as a hierarchy of individual nodes, in which the ending node references one or more leaf which contains closely related information such as (in textual format) title, facts, Q & A, illustrations, and links to other leaf nodes in the database. Steele also provides at [0067] that the database architecture provides password protection for specific leaf nodes. These describe the database structure/architecture.

Steele also details a 16 bit leaf flag at [0076] et seq., and at para [0079] Steele sets bit 2 of the overall flag to indicate if the leaf has been visited at least once. The office action terms this bit a "Seen flag" and asserts it against the data attribute being "indicative of first display of the data assemblage in the device" at element b) of claim 20.

Against element c) of claim 20, the office action asserts that it is inherent in Steele that the Seen flag would be automatically switched once the associated file is viewed. But further against this claim element the office action suggests that the 'Open Import File" (opening a text file) is without regard to a security mechanism. For the security mechanism itself the office action cites to Steele at [0120] which discloses that a lock function in the imaker™ application can be used to lock / password-protect a page so that it may be viewed but not edited (absent entry of the password).

Consider two issues with the rejection against element c). First, para [0120] and also paras [0112-0113] and [0121] (which also detail the password function) are on the PC, not the PDA/smartphone. Paragraphs [0112-0113] explicitly reference Figures 9A-10, and para [0028] explicitly states that Figure 9A is at the PC. Second, para [0120] explicitly states that the password protection is strictly for the edit function while the content/application is being created (see 0120-0123) and not the viewing function. Since Steele does NO updating of the database at the handheld computer per [0015], the password teachings are not seen to be relevant to the PDA at all.

Element c) of claim 20 recites in two clauses: *displaying for a first time in the hand portable device a first data assemblage of the plurality without regard to a first security mechanism, and responsive to the displaying for the first time automatically changing the data attribute of the first data assemblage from a first type to a second type.* Since the first clause states "without regard to a first security mechanism", the rejection of this element may be cognizant of the PC/PDA divide in Steele and the display at the Steele PDA is without regard to the edit-protect password set at the PC; the Seen flag of Steele switches regardless of whether the edit-protect password is set at the PC. But this assertion against element c) of claim 20 propagates to element d) as a fatal error for which the rejection of claim 20 cannot be sustained.

Element d) of claim 20 recites: *in response to changing the data attribute of step c), automatically restricting further display of the first data assemblage using the first security mechanism.* The office action rejects this claim element by citing only to those Steele paragraphs already cited and detailed above.

The Applicants note that "the first security mechanism" of element d) draws antecedent basis from element c), the one for which the data assemblage was first displayed in the hand portable device without regard to. For Steele to render this claim element obvious, switching of the Seen flag in Steele's PDA/smartphone would have to have the claimed restriction on further display at the PDA/smartphone by referring back to the edit-locking password which is at Steele's PC. This rejection is seen to fail obviousness on multiple counts.

First and simplest, Steele's password is for editing and not viewing as explicitly stated at [0120], cited by the office action. Element d) recites restricting *further display*, for which Steele's password has no effect.

Second and as detailed above with respect to element c), Steele's password is for functions at the PC and not seen to be related in any respect to what occurs at the PDA.

Third, there is no relation at all seen between Steele's Seen flag and the password. Because this non-relation is a key assertion for the proposition that element c) of this same claim is

obvious, then if some relation is shown the obviousness assertion of element c) must necessarily be re-evaluated.

Fourth, element d) is well beyond any ordinary skill modification to Steele, in that it

i) undermines a key purpose of Steele in restricting the PDA to only view and read in light of limited computing resources, and
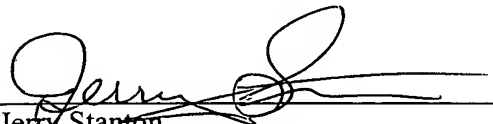
ii) would require such a substantial redesign to have some relation, let alone the claimed relation, between Seen flag and editing password as to go beyond ordinary skill.

Claim 20 is therefore seen to be non-obvious over Steele, alone or in combination with any other reference of record. Claim 46 recites similarly to claim 20. Claims 33 and 60 recites in somewhat different language but in relevant respects is seen to distinguish over Steele on the same substantive points detailed above.

All other claims depend from one of claims 20, 33, 46 or 60, and should be allowable at least for that reason. None are argued separately here though the Applicants reserve the right to do so without prejudice should it later become necessary.

The Applicants thank the Examiner for the additional search and examination, and respectfully request that claims 2-3, 5-9, 20, 23, 33-34, 36-40, 46 and 51-60 now be passed to issue. The undersigned representative welcomes the opportunity to discuss the claims and references or resolve any matters that may remain via teleconference at the Examiner's discretion.

Respectfully submitted:

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April 7, 2008
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